

FORM PTO-1449

Docket Number (Optional)  
18680-250050Application No.  
09/853,566INFORMATION DISCLOSURE CITATION  
IN AN APPLICATIONApplicant  
PHILIP T. DAVISFiling Date  
MAY 10, 2001Group Art Unit  
3712

MAR 09 2004

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
RP	4	7	5	2	8	7	7	06/21/88	Roberts et al.			
RP	4	8	3	9	8	0	4	06/13/89	Roberts et al.			
RP	5	7	0	4	0	4	5	12/30/97	King et al.			
RP	5	7	5	2	2	3	6	05/12/98	Sexton et al.			
RP	5	8	0	2	5	0	0	09/01/98	Ryan et al.			
RP	5	8	4	4	5	9	6	12/01/98	Goodman			
RP	5	9	0	7	8	2	8	05/25/99	Meyer et al.			
RP	5	9	2	6	7	9	2	07/20/99	Koppes et al.			
RP	5	9	6	6	6	9	3	10/12/99	Burgess			
RP	5	9	8	7	4	3	0	11/16/99	Van Horne et al.			
RP	5	9	9	9	9	1	7	12/07/99	Facciani et al.			
RP	6	0	2	6	3	6	4	02/15/00	Whitworth			
RP	6	0	5	8	3	7	6	05/02/00	Crockett			

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GROUP 3600

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLAS S	Translation	
												Yes	No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

Rochelle A. Pate

DATE CONSIDERED

2/17/06

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



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GROUP 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
18680-250050

3712  
3626

# 2

3-19-04  
CW

In re application of:  
PHILIP T. DAVIS

Group No.: 3712

Serial No.: 09/853,566

Examiner: UNKNOWN

Filed: MAY 10, 2001

For: SURVIVOR'S BENEFIT PLAN

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Mail Stop DD  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either:
  - (1) a final action under §1.113 or
  - (2) a notice of allowance under §1.311, whichever occurs first.

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**CERTIFICATION OR FEE**

A. Included with this transmittal is:

- i. ☐ a certification (set forth below) in accordance with 37 C.F.R. §1.97(e). (If for any reason the certificate set forth below should be unsatisfactory, the Commissioner is provisionally authorized to charge the \$240 fee (37 C.F.R. §1.17(p)) to Deposit Account No. 16-1805. A copy of this sheet is enclosed.)

**OR**

- ii. ☐ the attached fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).

3. ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first, but before, or simultaneously with the payment of the issue fee.

**CERTIFICATION, PETITION AND FEE**

A. In accordance with the requirements of 37 C.F.R. §1.97(d):

- i. Set forth below is a certification as specified in 37 C.F.R. §1.97(e).
- ii. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 C.F.R. §1.97(d)(ii).
- iii. Applicant submits the petition fee set forth in §1.17(i)(1). (\$180.00).

**CERTIFICATION**

(Required if 2Ai or 3 above is marked)

4. I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

**OR**

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

5. ☒ If it should be determined that for any reason either an insufficient or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 16-1805. A copy of this petition is enclosed.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Dated: March 5, 2004

By: 

Keyvan Davoudian

Registration No. 47,520

Attorney for Applicant(s)

725 South Figueroa Street, Suite 2800  
Los Angeles, CA 90017-5406  
Telephone: (213) 488-7100  
Facsimile: (213) 629-1033

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450, on March 5, 2004.

By: 

Keyvan Davoudian, Reg. No. 47,520